

Message Text

LIMITED OFFICIAL USE POSS DUPE

PAGE 01 SANTO 03086 111547Z

64

ACTION EB-07

INFO OCT-01 ARA-06 ISO-00 CIAE-00 COME-00 DODE-00 DOTE-00

FMC-01 INR-07 NSAE-00 CG-00 OFA-01 DLOS-04 L-03 TAR-01

AID-05 IGA-01 TRSE-00 SP-02 IO-10 AGR-05 /054 W

----- 017282

R 111452Z JUL 75

FM AMEMBASSY SANTO DOMINGO

TO SECSTATE WASHDC 4210

LIMITED OFFICIAL USE SANTO DOMINGO 3086

E.O. 11652: N/A

TAGS: EWWT, DR, US

SUBJ: DR MARITIME LEGISLATION

REF: A) STATE 148858; B) STATE 138606; C) SD A-72 OF

JULY 3, 1975

1. DOMINICAN LAWYERS SAID THAT MARITIME LAW ONLY BECOMES EFFECTIVE UPON PUBLICATION. THUS FAR, LAW HAS BEEN PUBLISHED NEITHER IN OFFICIAL GAZETTE NOR IN THE LOCAL PRESS, AND NO INFORMATION IS AVAILABLE ON WHEN OR IF LAW WILL BE PUBLISHED.

2. SINCE RECEIPT OF REFTEL A) EMBOFFS HAVE AGAIN TOUCHED BASE WITH BOTH SECRETARY OF INDUSTRY AND COMMERCE D'ALESSANDRO AND CEDOPEX DIRECTOR PERICHE AND EACH HAS REAFFIRMED PREVIOUS STATEMENTS, TO WIT: D'ALESSANDRO SAYS PRESIDENT BALAGUER HAS NOT RPT NOT SIGNED THE LAW AND PERICHE STATES THAT HE HAS.

3. WHEN ECONOMIC COUNSELOR MET WITH PERICHE IN CARRYING OUT INSTRUCTIONS TRANSMITTED IN REFTEL B), PERICHE INDICATED THAT SOME

ADJUSTMENTS MIGHT BE MADE IN THE LAW IF THESE APPEARED TO BE CALLED FOR. HE STRONGLY DEFENDED, HOWEVER, THE BASIC IDEA OF RESERVING CARGO FOR DOMINICAN FLAG VESSELS SOMEWHAT ALONG LINES OF 40-40-20 FORMULA.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 SANTO 03086 111547Z

4. IN REFERENCE TO D'ALESSANDRO'S EARLIER STATEMENT THAT MEASURE

IS BEING REFINED BY GODR INTER-AGENCY COMMITTEE, THE SECRETARY WAS APPARENTLY REFERRING TO A COMMISSION CALLED FOR BY THE LAW TO IMPLEMENT REGULATIONS. MEETINGS OF THIS GROUP WERE TAKING PLACE IN JUNE AS REFLECTED BY COPY OF MINUTES OF JUNE 11 MEETING WHICH WERE GIVEN ECONOMIC COUNSELOR BY D'ALESSANDRO. THAT MEETING TOOK PLACE ON THE PREMISES OF CEDOPEX AND MINUTES WERE SIGNED BY PERICHE, WHICH TEND TO CONFIRM EMBASSY'S EARLIER IMPRESSIONS THAT PERICHE IS THE PRIMARY FORCE BEHIND THE LAW AND PROBABLY THE MOST KNOWLEDGABLE ABOUT ITS CURRENT STATUS.

5. THE MINUTES STATE THAT THE MEETING OPENED WITH QUOTE A READING OF ARTICLE 21 OF LAW 180 DATED MAY 30, 1975 UNQUOTE WHICH GIVES IMPRESSION THE LAW HAS BEEN ADOPTED. ARTICLE 21 (TEXT OF DRAFT-LAW TRANSMITTED BY REFAIR) PROVIDES FOR SETTING UP THE COMMISSION.

6. AT THE MEETING IT WAS DECIDED TO CREATE A WORKING COMMITTEE TO PRESENT TO THE COMMISSION A DRAFT-LAW FOR CREATING A MERCHANT MARINE DIRECTORATE (WHICH PERICHE SAYS WILL PROBABLY BE AN AUTONOMOUS AGENCY RATHER THAN A PART OF THE SECRETARIAT OF INDUSTRY AND COMMERCE).

7. THE COMMISSION ALSO (1) AUTHORIZED CEDOPEX TO ENGAGE A MARITIME TRANSPORTATION EXPERT FROM THE UNITED NATIONS, AND (2) COMMISSIONED A LOCAL LAWYER TO BEGIN WORK ON REVISING THE DOMINICAN MARITIME CODE.

8. LOCALLY AVAILABLE VOLUME AND DOLLAR VALUES FOR DR EXPORTS AND IMPORTS TO THE US DURING 1973 AND 1974 ARE AS FOLLOWS:

EXPORTS TO US BY YEAR	VOLUME (MILLION POUNDS)	VALUE (MILLION DOLLARS)
1973	5,721	308
1974	6,186	471

IMPORTS FROM US BY YEAR		
1973	1,391	227
1974	1,776	408

LIMITED OFFICIAL USE
LIMITED OFFICIAL USE

PAGE 03 SANTO 03086 111547Z

THESE FIGURES SHOULD PERHAPS BE CHECKED AGAINST USDOC FT SERIES (FT 150-44 AND FT 405-55) PUBLICATIONS.

9. EMBASSY HAS BEEN UNABLE THUS FAR TO DEVELOP STATISTICS OR RELIABLE INFORMATION FOR ESTIMATING DR IMPORTS FROM THE US BENEFITTING FROM TAX AND DUTY EXONERATIONS OR TOTAL IMPORTS OF DR STATE ENTITIES AND ENTERPRISES FROM THE US. THE HEAD OF THE DOMINICAN ASSOCIATION OF IMPORTERS, NOT RPT NOT A WHOLLY DISINTERESTED SOURCE, RECENTLY COMPLAINED IN PUBLIC SPEECH THAT AS MUCH AS 50 PERCENT OF IMPORTS IN THE DR

BENEFIT FROM EXONERATIONS. ALMOST ALL IMPORTS OF AUTOMOBILES, LIQUOR AND OTHER LUXURY ITEMS ARE FINANCED THROUGH THE PARALLEL MARKET WITH VERY HEAVY UNDER-INVOICING TO AVOID IMPORT DUTIES. IBRD TEAM WHICH RECENTLY VISITED DR AND SUGGESTED MODIFICATIONS IN INDUSTRIAL INCENTIVES LAW AND OTHER EXONERATIONS WOULD PERHAPS BE BEST SOURCE FOR DATA.

10. CONCERNING TOTAL EXPORTS OF DR STATE ENTERPRISES TO US, THE ONLY SIGNIFICANT ENTITY IN THIS REGARD IS THE STATE SUGAR COUNCIL (CEA) WHICH PRODUCES 60 PERCENT OF DOMINICAN SUGAR. CEA'S VOLUME EXPORTS TO THE US FOR 1973, 1974 AND 1975, AND DOLLAR VALUE EXPORTS 1973 AND 1974 ARE AS FOLLOWS:

VOLUME (000'S OF TONS)		VALUE (MILLIONS DOLLARS)
1973	435	70
1974	514	164
1975	SQ 440	--

HURWITCH

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MARINE TRANSPORTATION, MARITIME LAW
Control Number: n/a
Copy: SINGLE
Draft Date: 11 JUL 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975SANTO03086
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750240-1094
From: SANTO DOMINGO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750764/aaaacfar.tel
Line Count: 133
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 09 SEP 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <09 SEP 2003 by KelleyW0>; APPROVED <12 NOV 2003 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: DR MARITIME LEGISLATION
TAGS: EWWT, DR, US
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006